

103^D CONGRESS
2^D SESSION

H. R. 4645

To amend the Federal Power Act to authorize the Federal Energy Regulatory Commission to disallow recovery of certain costs incurred by public utilities pursuant to transactions authorized under section 13(b) of the Public Utility Holding Company Act of 1935, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1994

Mr. BOUCHER (for himself, Mr. SHARP, Mr. MARKEY, and Mr. DINGELL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Power Act to authorize the Federal Energy Regulatory Commission to disallow recovery of certain costs incurred by public utilities pursuant to transactions authorized under section 13(b) of the Public Utility Holding Company Act of 1935, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY TO DISALLOW RECOVERY OF CER-**
2 **TAIN COSTS.**

3 Section 318 of the Federal Power Act is amended by
4 inserting “(a)” after “SEC. 318.” and by adding the fol-
5 lowing at the end thereof:

6 “(b) Notwithstanding any other provision of the Fed-
7 eral Power Act or the Public Utility Holding Company Act
8 of 1935, the Commission shall have authority to disallow
9 recovery in jurisdictional rates of any costs incurred by
10 a public utility pursuant to a transaction that has been
11 authorized under section 13(b) of the Public Utility Hold-
12 ing Company Act of 1935, if the Commission determines
13 that recovery of such costs would be inconsistent with the
14 requirements of sections 205 or 206 of this Act.

15 “(c) In any proceeding of the Commission to consider
16 the recovery of costs described in subsection (b) there shall
17 be a rebuttable presumption that such costs are just, rea-
18 sonable, and not unduly discriminatory or preferential
19 within the meaning of this Act.

20 “(d) Subsection (b) shall not apply to any cost in-
21 curred and recovered prior to the date of enactment of
22 this subsection.”.

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